

From: [Haynes, Diana - AMS](#)
To: [Miller, David](#)
Cc: [Hrdy, David](#); [Crowley, Matthew](#); [Terry Councell-FDA \(Terry.Councell@fda.hhs.gov\)](#)
Subject: RE: acephate green bean tolerance
Date: Friday, March 20, 2015 9:41:16 AM

Hi David,

This is a very good time to discuss planning. Right now, we have fresh green beans being tested through September 2015. If needed, we can extend that – fresh green beans started in July 2013 and we extended through September 2015, and can certainly extend longer if needed. Please let me know – we can bring this up at next month's PDP Federal/State Meeting.

Please let me know if you need the 2014 green bean data for acephate and methamidophos with origin data included. We can get that to you very quickly (Roger can).

Thanks,
Diana

From: Miller, David [mailto:Miller.DavidJ@epa.gov]
Sent: Friday, March 20, 2015 9:10 AM
To: Councell, Terry; Haynes, Diana - AMS
Cc: Hrdy, David; Crowley, Matthew
Subject: acephate green bean tolerance

Please don't share the email chain, but it is fine to let others in FDA (and PDP) know in general that EPA will be starting to revoke the tolerance for acephate on green beans if that will affect FDA plans for sampling green beans in the future.

Recall, we cancelled the use in 2012 (March, I think), but had an existing stocks provision. PDP sampled green beans in 2013 and found a sizable fraction had acephate residues. A quick peek by us at the unreconciled 2014 data through September that PDP provided to us suggested that 2014 was about the same- no reduction in concentrations or percent detects compared to 2013 which – in itself -- did not appear reduced from the last time PDP sampled green beans (2008 if I remember correctly).

The risk managers might come to us asking about a date to revoke the acephate tolerance. If they do, I might suggest 31 December 2015 if we can get an FR announcement out soon enough. So the farmers will be able to use any existing stocks of acephate up through this crop year, but next year (crop year 2016), any detected residues of acephate or its methamidiphos metabolite will be illegal. It's possible that somebody will decide that December 2015 is too soon and doesn't leave enough time for farmers to adjust or foreign countries to comment and object, I don't know. But given that we cancelled the use here for cause back in March of 2012 and we are three years past that date now, I think we can probably justify a "sooner rather than later" date.

Anyway, it might be good for EPA, PDP, and FDA to coordinate on this with respect to sampling, now that the CU article has highlighted the issue (unfortunate that it sometimes takes that). Diane – could you let me know what the future PDP plans are for sampling green beans. I think it would be good if –once we get rid of the tolerance – for PDP to include or add back in green beans and close this issue out once and for all. Also – Diana- it is possible that the risk managers will want to get an idea of what and where we are seeing acephate on green beans – domestic, foreign, at what levels etc. for 2014. Not for use in a risk assessment or for release, but just to better plan on what should be done and where the problems might be. So, we might be asking for an unofficial not-to-be-released peek at the full set of 2014 acephate + methamidiphos on green bean data for this if that is ok with you. So this is just a heads up to you on that.

Overall, I think this is good news.

David

From: Keigwin, Richard
Sent: Thursday, March 19, 2015 10:27 AM
To: Jordan, William; Miller, David; Vogel, Dana
Cc: Britton, Wade; Housenger, Jack
Subject: RE: CU verbiage for Bill J.

We will work to start the process to revoke the tolerance.

Rick Keigwin
Director, Pesticide Re-evaluation Division
Office of Pesticide Programs
US Environmental Protection Agency

Sent from my Windows Phone

From: [Jordan, William](#)
Sent: 3/19/2015 10:24 AM
To: [Miller, David](#); [Vogel, Dana](#)

Cc: [Britton, Wade](#); [Housenger, Jack](#); [Keigwin, Richard](#)

Subject: RE: CU verbiage for Bill J.

David 's idea for moving on the tolerance for green beans seems like a good one.

Rick, please think about what OPP should do.

Thanks

Bill

Sent from my Windows Phone

From: [Miller, David](#)

Sent: 3/19/2015 9:02 AM

To: [Vogel, Dana](#); [Jordan, William](#)

Cc: [Britton, Wade](#)

Subject: RE: CU verbiage for Bill J.

One thing to note – while we did indeed cancel uses of acephate on green beans in 2012 (with existing stocks provision) , we have not yet either revoked the tolerance or even put out a FR notice that announces that we will be revoking the tolerance or lists a date. So if somebody looks up a tolerance for acephate on green beans, it will be there with no indication that we’ve done anything or it will be going away.

Since green beans are the only domestic commodity listed as very high risk by CU, I think it would be a good idea for that FR notice announcing a future date at which the tolerance will disappear would be useful for OPP to get out as soon as we can.

David.

From: Vogel, Dana

Sent: Thursday, March 19, 2015 8:52 AM

To: Jordan, William

Cc: Britton, Wade; Miller, David

Subject: FW: CU verbiage for Bill J.

Here’s the draft

From: Miller, David

Sent: Thursday, March 19, 2015 8:47 AM

To: Vogel, Dana

Cc: Britton, Wade; Nako, Steve; Hrdy, David

Subject: CU verbiage for Bill J.

While the Consumer Reports dietary risk index (DRI) methods are scientifically sound for ranking of pesticide residues measured in fruits and vegetables, EPA believes that they should not be considered to necessarily be accurate indicators of risk. EPA stringently regulates pesticide residues as per the FQPA standard of “reasonable certainty of no harm” and requires extensive testing of pesticides before they can be legally registered and sold. The Consumer Reports methods characterizes DRI’s of 1 or more in the “Very High” risk category and those of 0.2 to 1 as in the “High” risk category. Given FQPA’s stringent standards for pesticide approval, it is important to note that Consumer Report’s DRIs in the “High” Category are at least 100 to as much as 5,000 times below where EPA would anticipate potential adverse health effects based on extensive required testing. This means that Consumer Reports produce rankings from “very low” to “high” (i.e., less than 0.01 to 1.0) are considered safe by EPA under FQPA standards and fully meet our standard of reasonable certainty of no harm. For those foods in the “Very High” category (green beans, sweet bell peppers and hot peppers) , EPA has already taken action on domestic green beans eliminating all uses of acephate /methamidiphos on this commodity; this has not yet been reflected in the USDA PDP data used by Consumers Union. [WE ARE STILL WORKING MEXICAN HOT AND SWEET BELL PEPPERS)

David J. Miller CAPT | USPHS

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